

1 LEVI & KORSINSKY, LLP
2 Adam M. Apton (SBN 316506)
3 75 Broadway, Suite 202
4 San Francisco, California 94111
5 Telephone: (415) 373-1671
6 Email: aapton@zlk.com

7
8 *Attorneys for Lead Plaintiff Hsiu-Mei Yu and Lead*
9 *Counsel for the Class*

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE COINBASE GLOBAL, INC.
SECURITIES LITIGATION

No. 5:21-cv-05634-EJD

**STIPULATION AND [PROPOSED] ORDER
GRANTING PLAINTIFF LEAVE TO FILE
PROPOSED SUR-REPLY**

Pursuant to Civil L.R. 7-11 and L.R. 7-3(d), Lead Plaintiff Hsiu-Mei Yu (“Plaintiff”) and Defendants Coinbase Global, Inc., (“Coinbase”), Brian Armstrong, Alesia J. Haas, Jennifer N. Jones, Marc L. Andreessen, Frederick Ernest Ehram III, Kathryn Haun, Kelly Kramer, Gokul Rajaram, and Fred Wilson (collectively “Defendants,” and together with Plaintiff, the “Parties”), by and through their undersigned counsel, hereby stipulate and agree as follows and jointly request that the Court enter the below Order approving this stipulation.

WHEREAS, on February 8, 2022, Defendants filed a motion to dismiss Plaintiff’s Amended Complaint dated December 20, 2021 (ECF No. 105);

WHEREAS, on March 15, 2022, Plaintiff opposed Defendants’ motion to dismiss (ECF No. 108);

WHEREAS, on March 23, 2022, the Ninth Circuit decided *Weston Family Partnership LLP v. Twitter, Inc.*, 29 F.4th 611 (9th Cir. 2022);

1 **WHEREAS**, on April 12, 2022, Defendants filed a brief in reply and further support of
 2 their motion to dismiss. Defendants cited to and relied upon *Twitter, supra*, in their reply brief
 3 (ECF No. 110);

4 **WHEREAS**, on May 2, 2022, the Ninth Circuit denied petitions for rehearing and
 5 rehearing *en banc* in *Pirani v. Slack Technologies, Inc.*, No. 20-16419, 2022 U.S. App. LEXIS
 6 11846 (9th Cir. May 2, 2022);

7 **WHEREAS**, the Parties agree that Plaintiff should receive leave to file a sur-reply brief
 8 addressing the Ninth Circuit's decisions in *Twitter* and *Slack Technologies* given that she was
 9 unable to do so at the time of her opposition because neither decision had been published;

10 **NOW, THEREFORE**, pursuant to Civil L.R. 7-11 and L.R. 7-3(d), the Parties hereby
 11 stipulate, subject to Court approval, that Plaintiff shall be granted leave to file the proposed sur-
 12 reply brief attached hereto as Exhibit A.

13 Dated: May 12, 2022

Respectfully submitted,

14 LEVI & KORSINSKY, LLP

15 By: s/ Adam M. Apton

16 Adam M. Apton (SBN 316506)

17 75 Broadway, Suite 202

18 San Francisco, California 94111

Telephone: (415) 373-1671

Email: aapton@zlk.com

19 *Attorneys for Plaintiff*

20
 21 LATHAM & WATKINS LLP

22
 23 By: s/ Morgan E. Whitworth

24 Morgan E. Whitworth (Bar No. 304907)

morgan.whitworth@lw.com

25 Cindy Guan (Bar No. 317036)

cindy.guan@lw.com

26 505 Montgomery St., Suite 2000

27 San Francisco, CA 94111

T: (415) 391-0600

Matthew Rawlinson (Bar No. 231890)
matt.rawlinson@lw.com
140 Scott Drive
Menlo Park, CA 94025
T: (650) 463-3076

Andrew B. Clubok (*pro hac vice*)
andrew.clubok@lw.com
Susan E. Engel (*pro hac vice*)
susan.engel@lw.com
555 Eleventh Street NW, Suite 1000
Washington, D.C. 20004
T: (202) 637-2200

*Attorneys for Defendants Coinbase Global, Inc.,
Brian Armstrong, Alesia J. Haas, Jennifer N.
Jones, Marc L. Andreessen, Frederick Ernest
Ehrsam III, Kathryn Haun, Kelly Kramer, Gokul
Rajaram, and Fred Wilson*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

Honorable Edward J. Davila
UNITED STATES DISTRICT JUDGE

FILER'S ATTESTATION

Pursuant to Civil L. R. 5-1(h)(3), regarding signatures, I hereby attest that concurrence
in the filing of the document has been obtained from all of the signatories above.

DATED: May 12, 2022

/s/ Adam M. Apton
Adam M. Apton